

The Senate State and Local Governmental Operations Committee offered the following substitute to HB 1463:

A BILL TO BE ENTITLED
AN ACT

To amend an Act creating the Augusta-Richmond County Coliseum Authority, approved April 17, 1973 (Ga. L. 1973, p. 3042), as amended, particularly by an Act approved March 23, 1977 (Ga. L. 1977, p. 3300), and an Act approved March 16, 1993 (Ga. L. 1993, p. 4087), so as to change the name of the authority; to change the membership of the authority; to provide for the terms and appointment of members of the authority; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act creating the Augusta-Richmond County Coliseum Authority, approved April 17, 1973 (Ga. L. 1973, p. 3042), as amended, particularly by an Act approved March 23, 1977 (Ga. L. 1977, p. 3300), and an Act approved March 16, 1993 (Ga. L. 1993, p. 4087), is amended by striking Section 2 and inserting in its place a new Section 2 to read as follows:

"SECTION 2.

(a) There is created a body corporate and politic to be known as the Augusta-Richmond County Coliseum Commission, which shall be a successor to the Augusta-Richmond County Coliseum Authority, and which shall be deemed to be a political subdivision of the State of Georgia and a public corporation and by that name, style, and title said body may contract and be contracted with, sue and be sued, implead and be impleaded, and complain and defend in all courts of law and equity. Effective on and after July 1, 2008, the commission shall consist of nine members to be appointed as follows:

- (1) Eight members shall be appointed by the Augusta-Richmond County Commission, with the five commissioners of Super District 9 entitled to appoint four members and the five commissioners of Super District 10 entitled to appoint four members; and
- (2) One member shall be appointed by the mayor of the City of Augusta, Georgia.

1 In order to be qualified to serve on the commission an appointee shall be a resident of
2 Richmond County and should have experience in one or more of the following fields:
3 business administration and management, business finance, the food services industry, the
4 entertainment industry, advertising, marketing, law, or other related field.

5 (b) The appointees shall serve two-year terms; provided, however, that two members
6 appointed from each of the Super Districts shall be appointed for an initial term of one
7 year. The commissioners of each Super District shall determine and designate by majority
8 vote which two members of the four members to be appointed by such commissioners shall
9 serve an initial term of only one year. In order for an appointee to be removed from the
10 authority, seven members of the Augusta-Richmond County Commission, without the
11 necessity of a showing of cause, must vote for the removal of the appointee.

12 (c) The members of the authority in office on June 30, 2008, shall not serve until the
13 regular expiration of the terms to which such members were appointed and the terms of
14 such members shall expire on midnight of June 30, 2008. No member of the authority who
15 has held office at any time in the six months prior to the effective date of this Act shall be
16 eligible for re-appointment to the commission created under the provisions of this Act.

17 (d) As soon as practicable on or after June 1, 2008, the mayor and the Augusta-Richmond
18 County Commission shall appoint such members provided for in this section for initial
19 terms beginning on July 1, 2008, to replace the previously appointed members. All
20 appointees to the commission shall serve until their respective successors are appointed and
21 qualified. Members of the commission shall be allowed to succeed themselves and be
22 reappointed for a maximum of two consecutive terms.

23 (e) Immediately after their appointment, the members of the commission shall enter upon
24 their duties. They shall all attend an orientation and training course approved by the
25 Augusta-Richmond County Commission. They shall elect one of their number as
26 chairperson, another as vice chairperson, and may also elect a secretary and treasurer who
27 need not necessarily be a member of the commission. The chairperson and vice
28 chairperson, secretary and treasurer shall serve for a period of one year and until their
29 successors are appointed and qualified. Six members of the commission shall constitute
30 a quorum. The chairperson shall be a nonvoting member of the commission, except he or
31 she may vote to break a tie vote by the other members. The chairperson shall form
32 committees and appoint members thereto as he or she deems necessary.

33 (f) In the event of a vacancy by reason of death, disqualification, removal, resignation, or
34 other reason, the governing body which appointed such member shall appoint a person to
35 serve the remainder of the term of such member. No vacancy on the commission shall
36 impair the right of the quorum to exercise all their rights and to perform all of the duties
37 of the Authority.

1 (g) The members of the commission shall serve without compensation provided that all
2 members shall be reimbursed for their actual expenses necessarily incurred in the
3 performance of their duties. The commission shall make rules and regulations governing
4 the procedures to be followed in conducting the business of the commission. It shall have
5 perpetual existence."

6 **SECTION 2.**

7 This Act shall become effective upon its approval by the Governor or upon its becoming law
8 without such approval.

9 **SECTION 3.**

10 All laws and parts of laws in conflict with this Act are repealed.